

California Regional Water Quality Control Board  
Santa Ana Region

November 18, 2005

ITEM: 22

SUBJECT: Executive Officer's Report

DISCUSSION:

- 1. Supplemental Environmental Projects (SEPs)** – Staff is proposing to add the following projects to the Region's list of acceptable SEP's, to be posted on the Board's web site.

	Project Proponent/Contact Information	SEP \$ Requested/Total Project Cost	Project Completion Date	Project Description
1.	Discovery Science Center, 2500 N. Main St, Santa Ana, CA 92705 Steve Kight (714-913-5015)	\$150K/\$3,500K The requested amount is for engineering design of a hands-on water education center.	One year from date of funding	The Discovery Science Center is a non-profit science education center. The SEP proposal is to build a comprehensive, hands-on water education center on how the public can help with water conservation and water quality improvements.
2.	Orange County Water District, 10500 Ellis Avenue, Fountain Valley, CA 92708 Virginia Grebbien (714-378-3220)	\$100K/\$1,450K SEP request is for a portion of the capital cost.	20 months from the date of funding and approval by the District's Board	OCWD operates 17 recharge basins to recharge flows from the Santa Ana River. The SEP proposal is to remove and process the accumulated sediment from these basins and return clean sand to the basins.

3.	Marine Education Project, 45 Fremont St, Suite 2000, San Francisco, CA 94105 Chris Parry (415-904-5208)	\$189K/\$250K The SEP money is to cover a portion of program expenses and personnel costs for 1 year.	September 2006	Marine Education Project is proposing a Community-Based Restoration and Education Program for Upper Newport Bay. The project will foster community involvement and volunteer labor for restoration activities (removal of invasive species, planting of native species, restoration of buffer zones for breeding and foraging, etc.) and for monitoring of the restored areas.
4.	The San Jacinto River Watershed Council, 16485 Lash St, Lake Elsinore, CA 92530 Pat Boldt (951-808-8531)	\$10K/\$10K (SEP \$ provided by Yucaipa Valley Water District)	6/30/2005 (project completed)	The SEP money was needed for strategic planning and monthly facilitation services to address water quality problems within the San Jacinto Watershed.
5.	Western Riverside County Agricultural Coalition (WRCAC), 2160 Santa Anita Rd, Norco, CA 92860 Pat Boldt (951-808-8531)	\$25K/\$40K (funding provided by Joe Borba Dairy)	6/30/2006	WRCAC is proposing to determine the sources of salts and nitrates in the San Jacinto watershed and identify alternatives to address the salt and nitrate problems in the watershed.

6.	San Diego State University, Soil Erosion Research Laboratory, 5500 Campanile Drive San Diego, CA 92182 Ed Beighley (619-594-2284)	\$86.6K/\$113.7K	8/15/2008	The SEP proposal is to quantify the effectiveness of a selected group of erosion and sediment control BMPs and to quantify the sediment discharge potential during different phases of construction.
7.	California Coastkeeper Alliance, 820 Seaside Ave., Suite 108 Terminal Island, CA 90731 Nancy Caruso (310-548-0983)	\$18K/\$110K	09/01/2007	The SEP proposal is to augment funding for a kelp restoration project along the Orange County coastal waters. This funding would provide fuel for the Coastkeeper Alliance's boat (used to transport volunteers out to dive), safety training and equipment for the volunteer divers and provide materials for the students and schools involved in the project.

8.	Orange County Coastkeeper, 441 Old Newport Blvd., Suite 103 Newport Beach, CA 92663 Garry Brown (949-723- 5424)	\$170K/\$265K	One year after funding	Coastkeeper is proposing to develop a series of environmentally friendly demonstration gardens that will educate the public how to conserve water and reduce run-off (through California friendly landscaping and emerging technologies). SEP money will be used for the first of these gardens to be located at Santiago Canyon College in the City of Orange. Other similar projects will be developed as temporary demonstration gardens within new development project sites.
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- 2. Rhine Channel TMDL Update – Workshop Regarding Draft Remediation Alternatives Report** – On June 14, 2002, the U.S. Environmental Protection Agency established technical TMDLs for certain toxic substances for San Diego Creek and Upper and Lower Newport Bay. These included TMDLs for copper, lead, selenium, zinc, chromium, mercury, chlordane, dieldrin, DDT and PCBs for the Rhine Channel, a dead-end channel at the west end of Lower Newport Bay with poor tidal flushing and minimal storm drain input. None of these technical TMDLs included implementation plans, since these are the responsibility of the Regional Board.

In establishing the TMDLs, EPA examined monitoring data collected since 1985, but focused primarily on data collected since 1995. Regional Board staff is in the process of reviewing the Rhine Channel technical TMDLs based on data collected since the TMDLs were established. This review will lead to recommendations for refinement of the EPA TMDLs as necessary, and for

specific plans necessary to implement them. Updated TMDLs, with implementation plans, will be proposed as amendments to the Basin Plan.

To assist with the TMDL review and development of implementation plans, in June 2004, the Board contracted with the Orange County Coastkeepers (OCCCK) to oversee studies designed to determine the spatial extent and depth of contaminated sediments in the Rhine Channel and to evaluate alternatives and develop recommendations for a remediation plan. Remediation is likely to entail removal of contaminated sediments. A preliminary report has been prepared and will be reviewed by a Technical Advisory Committee established by Board staff. Board staff will also solicit public comments and recommendations on the remediation alternatives analysis. On December 14, 2005, staff of the Regional Board, the City of Newport Beach and OCCCK will hold a public informational meeting to discuss the status of the TMDL review and development process and the findings of the remediation alternatives report. The meeting will be held at the Newport Beach City Council Chambers beginning at 9 a.m. This will give the public an opportunity to comment on the remediation report. TAC and public comments and recommendations will be considered in finalizing the report, which is expected to be complete in March of 2006. Board staff anticipates that the Rhine Channel TMDLs, with implementation plans, will be ready for Board consideration in the summer/fall of 2006.

3. **Presentation Concerning Certain Santa Ana Region Activities at the State Water Resources Control Board Meeting on November 2, 2005** – As part of the State Board's program of hearing from each of the regional board executive officers, on Wednesday, November 2<sup>nd</sup>, it was my turn to present selected highlights of some on the ongoing activities in the Santa Ana Region. My talk covered two of the State Board priority issues: (1) enforcement and (2) the use of good science. I discussed two ongoing enforcement cases, Rialto perchlorate and the General Electric Flatiron cleanup, as well as the soon to be initiated enforcement related to historic solvent discharges and downgradient groundwater contamination at Ontario International Airport. Concerning the Rialto perchlorate enforcement, I focused on the wellhead treatment in the Rialto/Colton area provided, in significant part, by the State Board through the Cleanup and Abatement Account (\$3 million), and a settlement agreement with Goodrich Corporation that provided an additional \$4 million. I also discussed the proposed administrative settlement agreement with Goodrich, scheduled for consideration by the Regional Board on November 16<sup>th</sup>, and the upcoming enforcement action related to Emhart/Black & Decker, et. al., scheduled to be heard during 2006.

New State Board Member Jerry Segundy questioned why Emhart/Black & Decker was being so resistant to positive participation in the effort to remediate the groundwater pollution, and he suggested that when a company acquires

another company, then certain liabilities accrue with the acquisition, such as he experienced during his tenure with ARCO.

Our "good science" item related to the just-completed recomputation of ambient nitrogen and TDS quality for all of the groundwater basins in the region. This was undertaken and completed using cutting-edge statistical, sampling and computer technologies to assess ambient groundwater quality in a manner not duplicated in the state. This recomputation is required under the updated Nitrogen and TDS management provisions of the Basin Plan.

In a related item, on November 15<sup>th</sup>, staff from Wildermuth Environmental, Inc., (including Mark Wildermuth) and I will make a presentation to the State Board/Regional Board Management Coordinating Committee (MCC (meeting of the regional board executive officers and upper management of the State Board)). The presentation will discuss the modeling and statistical procedures used to develop the 2004 Nitrogen and TDS Basin Plan amendments, including updated groundwater quality objectives and findings regarding the ambient quality of all of the groundwater basins in the region. The presentation will also cover the recomputation of ambient groundwater quality, utilizing all of the data available since the completion of the 2004 Basin Plan amendments (data generated between 1997 and 2003), as discussed in the previous paragraph. This presentation is part of a program by the State Board Executive Director to highlight and discuss with the MCC activities within the regions that have a positive impact on water quality within the regions.

#### **4. Newport Bay Watershed Strategic Planning Effort**

The coordination of water quality enhancement programs in the Newport Bay Watershed is being actively pursued by the Newport Bay Watershed Executive Committee (Executive Committee) and its technical arm, the Newport Bay Watershed Management Committee (Management Committee). The Executive Committee is a decision making body on water quality issues for the watershed and includes the following members:

- Mr. Darryl Miller, IRWD
- Honorable Kathryn McCullough, City of Lake Forest
- Honorable Steven Choi, City of Irvine
- Honorable James W. Silva, Supervisor 2<sup>nd</sup> District, County of Orange  
Board of Supervisors, Executive Committee Chair
- Honorable Don Webb, Newport Beach City Council
- Mr. Larry Eng, Regional Manager, Dept. of Fish and Game
- Honorable Jerry Amante, City of Tustin
- Mr. Sat Tamarabuchi, The Irvine Company
- Mr. John Withers, SARWQCB

The Management Committee is the stakeholder group that advises the Executive Committee on key watershed issues. This group provides the primary

stakeholder forum for information exchange between Regional Board staff and the public. While the Executive and Management Committees were initially formed to address sediment-related problems in the watershed, their roles have expanded over time to address the broad spectrum of water quality problems in the watershed, particularly in response to the requirements of TMDLs that have been or are expected to be adopted for water bodies in the Newport Bay-San Diego Creek watershed.

In September 2004, the Management Committee began development of a strategic plan to direct its actions and overall efforts to improve the health of the Newport Bay Watershed. The Management Committee's advisory role in the watershed may be expanded to include other areas such as land use and habitat, which contribute to overall watershed health. Thus far in its strategic planning efforts, the committee has formulated a comprehensive vision, a focused mission statement, and a diverse set of goals. It is anticipated that the Management Committee will ultimately develop a recommended suite of projects, plans, programs, and policies to develop, revise and/or implement, with multi-objective projects (including stream restoration, education and outreach) being of primary interest. If implementation of the strategic plan proves effective, it may provide a model for other watershed management areas within Orange County.

In addition to the above strategic planning effort of the Management Committee, the Orange County Board of Supervisors recently approved the key elements of the Orange County Water Quality Strategic Plan, which is aimed at examining alternatives and making recommendations for establishing a regional water quality improvement program. This program would specifically focus on NPDES activities, and would include governance options and funding alternatives. Once implemented, the county would be divided into three Watershed Management Areas (North, Central, and South); the two-tiered management structure of the Newport Bay watershed (Executive and Management committees) is anticipated to be the model for these proposed WMAs.

At the most recent Newport Bay Watershed Executive Committee meeting on November 3, 2005, the discussion included the possible need to restructure the Executive Committee as each of the above-described strategic plans are developed and implemented. The Executive Committee established an ad hoc working group to provide input that will assist the Management Committee in formulating specific recommendations. Board member John Withers volunteered to participate, along with several other Executive Committee members.